

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1031

Introduced by Assembly Member Niello

February 22, 2005

An act to amend Section ~~34501.12~~ 4750 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1031, as amended, Niello. Vehicles: *registration*: Biennial Inspection of Terminals Program.

Existing law requires the Department of Motor Vehicles to refuse issuance of vehicle registration, or issuance of renewal or transfer of registration, upon certain, listed grounds.

Existing law requires a motor carrier who directs the operation of, or maintains, certain commercial vehicles in this state to designate one or more terminals in this state where vehicles can be inspected by the Department of the California Highway Patrol and where vehicle inspection and maintenance records and driver records will be made available for inspection. Existing law ~~designates this program the Biennial Inspection of Terminals Program or BIT~~ imposes certain fees on motor carriers for initial enrollment and renewal of enrollment in the program.

This bill would ~~designate this program the California Inspection of Terminals Program or CIT~~ require the Department of Motor Vehicles to refuse issuance of vehicle registration, or issuance of renewal or transfer of registration, if the owner of a commercial vehicle has not submitted to the department evidence satisfactory to the department establishing that the owner has paid the program enrollment fees. The bill would authorize the owner to submit to the department, in lieu of

submitting the specified evidence, a statement, signed by the owner under penalty of perjury, declaring that the vehicle is not subject to inspection under the program.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 34501.12 of the Vehicle Code is~~
2 ~~amended to read:~~

3 *SECTION 1. Section 4750 of the Vehicle Code is amended to*
4 *read:*

5 4750. The department shall refuse registration, or renewal or
6 transfer of registration, upon any of the following grounds:

7 (a) The application contains any false or fraudulent statement.

8 (b) The required fee has not been paid.

9 (c) The registration, or renewal or transfer of registration, is
10 prohibited by the requirements of Part 5 (commencing with
11 Section 43000) of Division 26 of the Health and Safety Code.

12 (d) The owner of a heavy vehicle, which is subject to the
13 heavy vehicle use tax imposed pursuant to Section 4481 of Title
14 26 of the United States Code, has not presented sufficient
15 evidence, as determined by the department, that the tax for the
16 vehicle has been paid pursuant to that section.

17 (e) Evidence of financial responsibility, that is required for a
18 vehicle registration renewal where there is no change in
19 registered owner, has not been provided to the department
20 pursuant to Section 4000.37 or electronically. This subdivision
21 does not apply to any of the following:

22 (1) A vehicle for which a certification has been filed pursuant
23 to Section 4604, until the vehicle is registered for operation upon
24 the highway.

25 (2) A vehicle owned or leased by, or under the direction of, the
26 United States or any public entity that is included in Section
27 811.2 of the Government Code.

28 (3) A vehicle registration renewal application where there is a
29 change of registered owner.

30 (f) (1) *The owner of a vehicle described in subdivision (a),*
31 *(b), (e), (f), or (g) of Section 34500 has not submitted to the*
32 *department evidence satisfactory to the department establishing*

1 *that the owner has paid the fees required under paragraph (1) of*
2 *subdivision (e) of Section 34501.12.*

3 *(2) In lieu of submitting the evidence described in paragraph*
4 *(1), the owner may submit to the department a statement, signed*
5 *by the owner under penalty of perjury, declaring that the vehicle*
6 *is not subject to inspection under Section 34501.12.*

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<p>All matter omitted in this version of the bill appears in the bill as introduced in the Assembly February 22, 2005. (JR11)</p>
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